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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,653	03/19/2004	Gregory Eugene Borchers	SLA1495	7770

27518 7590 09/06/2006

SHARP LABORATORIES OF AMERICA, INC  
5750 NW PACIFIC RIM BLVD  
CAMAS, WA 98642

EXAMINER
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KINDRED, ALFORD W

ART UNIT	PAPER NUMBER
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2163

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/804,653

Applicant(s)

BORCHERS, GREGORY EUGENE

Examiner

Alford W. Kindred

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/19/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to communications: Application, filed on 03/19/04.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by French et al., US# 20030041238.

As per claim 1, French et al. teaches “an MFP database comprising data regarding the MFP discovered; discovering drivers; building a driver database comprising data identifying at least one MFP each driver is applicable to” (see paragraph [0064], [0077]) “building a relationship database comprising an associated MFP/driver record for each allowable combination” (see paragraph [0107] and [0125]).

As per claim 2, French et al. teaches “wherein discovering MFPs comprises using SNMP to locate and identify an MFP” (see paragraph [0092]-[0093]).

As per claim 3, French et al. “wherein building an MFP database comprises parsing standard printer MIB data” (see paragraph [0068] and [0077]).

As per claim 4, French et al. “wherein discovering drivers comprises locating a driver file comprising metadata within a driver repository” (see paragraph [0085] and [0159]).

As per claim 5, French et al. teaches "wherein the metadata is XML metadata" (see paragraph [0085]).

As per claim 6, French et al. "wherein the metadata identifies each MFP capable of being associated with each driver" (see paragraph [0085] and [0107]).

As per claim 7, French et al. teaches "wherein building the driver database comprises parsing the metadata" (see paragraph [0107] and [0159]).

As per claim 8, French et al. teaches "wherein building a relationship database comprises creating a relational database with a many-to-many relationship linking a primary key of the MFP database with a primary key of the driver database for each allowable combination of MFP/driver relationships based upon MFP model and driver model compatibility" (see paragraph [0245] and [0256]).

As per claims 9-10, French et al. teaches "comprising constraining the drivers prior to discovering the drivers . . ." (see paragraph [0257]).

As per claim 11, French et al. teaches "constraining the associated MFP/driver combinations prior to building the relationship database" (see paragraph [0159] and [0256]).

As per claims 12-15, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-4 and 8 and are similarly rejected.

As per claims 16-17, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1-4 and 8 and are similarly rejected including the following:

--French et al. Teaches "a fourth software routine for building a driver database .  
.. " (see paragraph [0256] and [0076]).

Art Unit: 2163

**Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US# 20030120593; US# 20030093433.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100